

UNITED STATES DISTRICT COURT

# Middle District of North Carolina

ALBERT ABDALLA,

Petitioner,

**V.**

UNITED STATES OF AMERICA,

Respondent.

1:05CV110

1:02CR192-1

**J-U-D-G-M-E-N-T**

For the reasons set forth in the Order filed contemporaneously with this Judgment,

**IT IS THEREFORE ORDERED AND ADJUDGED** that Respondent's motion to dismiss (docket no. 48) be **DENIED**, Petitioner's motion to vacate, set aside or correct sentence (docket no. 41) and motion for summary judgment (docket no. 49) be **DENIED** and that this action be, and is hereby, dismissed with prejudice. Finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is not issued.

This the day of February 27, 2006

/s/ N. Carlton Tilley, Jr.  
United States District Judge